

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ISAAC MONGIA,

Plaintiff,

v.

CITY OF FRESNO, et al.,

Defendants.

Case No. 1:23-cv-01234-JLT-EPG

ORDER STRIKING UNSIGNED SECOND  
AMENDED COMPLAINT

(ECF No. 16)

Plaintiff Isaac Mongia proceeds *pro se* and *in forma pauperis* in this civil rights action filed under 42 U.S.C. § 1983. Plaintiff was granted leave to file a First Amended Complaint and did so on May 17, 2024. (ECF Nos. 8, 13). The Court screened the First Amended Complaint on November 26, 2024, directing Plaintiff to file a Second Amended Complaint or notify the Court that he wished to stand on his First Amended Complaint. (ECF No. 15 at 18-19).

On December 10, 2024, Plaintiff filed a Second Amended Complaint. (ECF No. 16). However, the Second Amended Complaint is not signed. (ECF No. 16 at 31). Both the Federal Rules of Civil Procedure and this Court's Local Rules require that all filed pleadings, motions, and papers be signed by at least one attorney of record or by the party personally if the party is unrepresented. Fed. R. Civ. P. 11(a)<sup>1</sup>; Local Rule 131(b)<sup>2</sup>.

<sup>1</sup> Rule 11(a) provides, "Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an

(continued...)

1 As Plaintiff's Second Amended Complaint is unsigned, the Court will strike it from the  
2 record. Plaintiff may file a signed copy of the Second Amended Complaint.

3 Based on the foregoing, it is HEREBY ORDERED that Plaintiff's Second Amended  
4 Complaint, filed December 10, 2024 (ECF No. 16), is STRICKEN from the record for lack of  
5 signature.

6 Within thirty (30) days from the date of service of this order, Plaintiff shall file a signed  
7 copy of the Second Amended Complaint.

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9 IT IS SO ORDERED.

10 Dated: December 11, 2024

11 /s/ Eric P. Gray  
12 UNITED STATES MAGISTRATE JUDGE  
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25 (...continued)

26 unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's  
27 attention.

28 <sup>2</sup> Local Rule 131(b) provides, "All pleadings and non-evidentiary documents shall be signed by the individual attorney for the party presenting them, or by the party involved if that party is appearing in propria persona. Affidavits and certifications shall be signed by the person executing the document. The name of the person signing the document shall be typed or printed underneath the signature."